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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,329	09/29/2005	Lars Fredriksson	1968-56	6536

30448 7590 01/26/2007
AKERMAN SENTERFITT
P.O. BOX 3188
WEST PALM BEACH, FL 33402-3188

EXAMINER

JONES, DAVID B

ART UNIT	PAPER NUMBER
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3725

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/551,329

Applicant(s)

FREDRIKSSON, LARS

Examiner

David B. Jones

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/29/2005.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims as a whole contain numerous examples of limitations lacking antecedent basis and indefinite and unclear recitations. In claim 1, line 5, "the free end portions of the "C"" lacks antecedent basis. In claim 1, line 23, "said two apertures" lacks antecedent basis. In claim 5, lines 4 and 7, "said two apertures" lacks antecedent basis. In claim 6, line 2, "each of said apertures" lacks clear antecedent basis. In claim 9, line 8, "the associated chain" lacks antecedent basis. In claim 10, line 1, applicant has depended the claim upon itself ("as defined in claim 10"). The claim must be dependent upon a preceding claim. Further all the claims are indefinite in that the chain-shortening device is defined in terms of a chain that is not a part of the combination, i.e., an intended chain to be shortened. Since the chain to be used is not a part of the combination (positively recited) then it cannot be used to define the device (see claims 1, 3, 4, 5, 7, 9 and 11 in particular).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Fredriksson '545. Fredriksson teaches the claimed invention (see Figs. 1 and 4)

including oblong links generally in the shape of the letter "C" (Fig. 4), slot portions 5 on either end of the link with pocket-like configurations at one end (generally at 10/11) of each slot, the other end of the slot portions ending in a central slot having a widened mid portion forming a central lead through opening 13.

4. Claims 1-4, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Smetz. Smetz teaches the claimed invention (see Figs. 1, 2, and 4) including oblong links generally in the shape of the letter "C" (Fig. 1), slot portions 12/13 on either end of the link with pocket-like configurations at one end (generally at 10/11) of each slot 23/24/25/26, the other end of the slot portions ending in a central slot having a widened mid portion forming a central lead through opening 6/7 (Figs. 2 and 3). Regarding claim 7, the device to Smetz teaches a pin 11 with surfaces that on either side acting as retaining members and used as shown in Fig. 2.

5. Claims 5, 6, 9 and 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

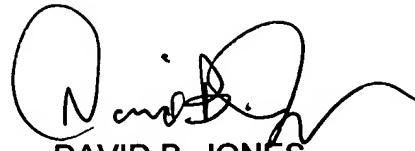
7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David B. Jones whose telephone number is (703) 308-1887.

Any inquiry of general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-3700.

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In the event that the Applicant (s) wishes to communicate via Fax number for
Group 3700 is (703) 872-9306.

wahp

A handwritten signature in black ink, appearing to read "David B. Jones", with a large, stylized initial "D" and a long, sweeping horizontal stroke extending to the right.

DAVID B. JONES
PRIMARY PATENT EXAMINER
ART UNIT 3725